IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 24003 of 2004

Between:

A. Srinivasa Kumar, S/o. Sambasiva Rao,
VTPS-III Stage, Ibrahimpatnam, Krishna District.

..... PETITIONER

AND

1 The APGENCO, rep. by its Chairman, Vidyut Soudha, Hyderabad.
2 The Managing Director, APGENCO, Vidyut Soudha, Hyderabad.
3 The General Manager (Adm), APGENCO, Vidyut Soudha, Hyderabad.
4 The Chief Engineer, O&M, Vijayawada Thermal Power Station,
Ibrahimpatnam, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the respondents in preparing seniority list of Sub-Engineers for promotion to the post of Addl. Assistant Engineer (AAE) by computing the leaves said to have been availed by the petitioner during his service as contract labour and thereby placing the petitioner much below than his juniors as highly illegal, arbitrary and contrary to the clarification Memo issued by the respondent corporation vide Memo No. APGENCO /GM(HR)/DS(Ser.)/469/M2//2000-2, dt. 31. 8.2000 and also violative of Art. 14 of the constitution of India and consequently direct the respondent to prepare the seniority list of all the Sub-Engineers in all the generating stations without computing the leave availed by the Sub-Engineers during the service as contract labour i.e., from 6.12.1996 to 16.3.1998 in the light of Memo No. APGENCO/GM(HR)/DS(Ser.)/469/M2/2000-2, dt. 31.8.2000 and pass such other

order or orders in the interest of justice.

Counsel for the Petitioner: MR.G.V.SHIVAJI

Counsel for the Respondent No.: SMT.K.SESHARAJYAM (SC FOR AP GENCO)

The Court made the following :

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ORDER:

The learned counsel appearing for the petitioner filed a letter dated 15.2.2005 before the Registry

seeking permission of this court to withdraw the Writ Petition.

Permission accorded.

Accordingly, the Writ Petition is dismissed as withdrawn. No costs.

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B. PRAKASH RAO, J

DATED: 18.02.2005

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To

1 The APGENCO, rep. by its Chairman, Vidyut Soudha, Hyderabad.
2 The Managing Director, APGENCO, Vidyut Soudha, Hyderabad.
3 The General Manager (Adm), APGENCO, Vidyut Soudha, Hyderabad.
4 The Chief Engineer, O&M, Vijayawada Thermal Power Station, Ibrahimpatnam, Krishna District.

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